

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1835 be amended to read as follows:

- 1 Page 8, delete lines 38 through 40, begin a new line blocked left and
- 2 insert:
- 3 **"However, if a person is licensed to conduct gambling games under**
- 4 **IC 4-35 at a racetrack, wagering on slot machines at the racetrack**
- 5 **may be conducted as permitted by IC 4-35."**
- 6 Page 25, line 5, delete "permit holder" and insert "**person**".
- 7 Page 25, line 35, delete "permit holder" and insert "**person**".
- 8 Page 26, line 17, delete "permit holder" and insert "**person issued**
- 9 **a license under IC 4-35-5"**.
- 10 Page 26, line 26, delete "permit holder" and insert "**person issued**
- 11 **a license under IC 4-35-5"**.
- 12 Page 26, line 27, delete "permit holder" and insert "**person**".
- 13 Page 31, line 9, delete "permit holder" and insert "**person**".
- 14 Page 31, line 10, delete "the" and insert "**a**".
- 15 Page 31, between lines 12 and 13, begin a new paragraph and insert:
- 16 **"Sec. 1.5. (a) The commission shall select the two (2) licensees**
- 17 **under this chapter from among competing applicants for a license**
- 18 **under this chapter.**
- 19 **(b) The commission shall review the applications for a license**
- 20 **under this chapter and shall inform each applicant of the**
- 21 **commission's decision concerning the issuance of the license.**
- 22 **(c) In determining which two (2) applicants should receive a**
- 23 **license under this chapter, the commission shall consider the**
- 24 **following:**
- 25 **(1) The character, reputation, experience, and financial**
- 26 **integrity of the following:**
- 27 **(A) The applicant.**
- 28 **(B) A person that:**
- 29 **(i) directly or indirectly controls the applicant; or**
- 30 **(ii) is directly or indirectly controlled by the applicant or**
- 31 **by a person that directly or indirectly controls the**

1 applicant.

2 (2) The facilities or proposed facilities for the conduct of
3 gambling games.

4 (3) The highest prospective total revenue to be collected by the
5 state from the conduct of gambling games by the applicant.

6 (4) The financial ability of the applicant to purchase and
7 maintain adequate liability and casualty insurance.

8 (5) Whether the applicant has adequate capitalization to
9 provide and maintain gambling games for the duration of the
10 license.

11 (6) The extent to which the applicant exceeds or meets other
12 standards adopted by the commission to best serve the
13 interests of the citizens of Indiana.

14 Sec. 1.7. (a) Before a person may be issued a license under this
15 chapter, the person must enter into an agreement with the
16 commission and the permit holder of the racetrack at which the
17 person will conduct gambling games. The person must agree to
18 provide payments to the permit holder in an amount (determined
19 by the commission) to provide sufficient money for competitive
20 purses, breed development, and horsemen's associations. The
21 agreement shall specify the manner in which the money paid by the
22 licensee shall be distributed.

23 (b) In determining the amount to be paid by a licensee under
24 this section, the commission shall consider the income, expenses,
25 and reasonable profits of the parties to the agreement.

26 (c) An entity receiving money distributed under this section
27 must be audited by an independent examiner approved by the
28 commission.

29 Sec. 1.8. If a permit holder wishes to have a license conduct
30 gambling games at the permit holder's racetrack, the permit
31 holder must make land available to the licensee for the gambling
32 game facility at a market price, as determined by an independent
33 appraiser selected by the commission."

34 Page 31, line 22, delete "the licensee's" and insert "**a permit**
35 **holder's**".

36 Page 32, line 1, delete "permit holder" and insert "**person**".

37 Page 32, line 2, delete "of" and insert "**equal to at least**".

38 Page 33, line 4, delete "the".

39 Page 33, line 5, delete "licensee permanently ends".

40 Page 33, line 5, after "racing" insert "**is permanently ended**".

41 Page 37, line 10, delete "licensee's" and insert "**permit holder's**".

42 Page 37, delete lines 27 through 42.

43 Delete page 38.

44 Page 39, delete lines 1 through 28.

45 Page 39, line 29, delete "13." and insert "**12.**".

46 Page 41, line 25, delete "licensee's".

47 Page 45, line 16, delete "a permit holder's employees" and insert

- 1 **"the employees of a person issued a license under IC 4-35-5".**
 - 2 Page 45, line 19, delete "permit holder" and insert **"person"**.
 - 3 Page 45, line 20, delete "a permit holder" and insert **"the person"**.
 - 4 Page 45, line 28, delete "permit holder" and insert **"person"**.
 - 5 Page 45, line 39, delete "permit holder." and insert **"person."**.
 - 6 Page 47, line 15, delete "permit holder" and insert **"person issued**
 - 7 **a license under IC 4-35-5"**.
 - 8 Page 47, line 17, delete "permit holder." and insert **"person issued**
 - 9 **a license under IC 4-35-5."**.
 - 10 Page 47, line 22, delete "permit holders" and insert **"persons issued**
 - 11 **licenses under IC 4-35-5"**.
 - 12 Page 47, line 27, delete "permit holder" and insert **"person issued**
 - 13 **a license under IC 4-35-5"**.
 - 14 Page 47, line 31, delete "permit holder" and insert **"person issued**
 - 15 **a license under IC 4-35-5"**.
 - 16 Page 47, line 35, delete "permit holder" and insert **"person issued**
 - 17 **a license under IC 4-35-5"**.
 - 18 Page 47, line 38, delete "permit holder" and insert **"person issued**
 - 19 **a license under IC 4-35-5"**.
 - 20 Page 48, line 5, delete "permit holder" and insert **"person issued a**
 - 21 **license under IC 4-35-5"**.
 - 22 Page 48, line 11, delete "permit holders" and insert **"persons issued**
 - 23 **licenses under IC 4-35-5"**.
 - 24 Page 48, line 13, delete "permit holders" and insert **"persons issued**
 - 25 **licenses under IC 4-35-5"**.
 - 26 Page 65, line 11, delete "permit holder (as defined in" and insert
 - 27 **"person"**.
 - 28 Page 65, line 12, delete "IC 4-35-2-7, as added by this act)".
 - 29 Page 65, line 14, delete "permit holder" and insert **"person"**.
 - 30 Page 65, line 19, delete "permit holder" and insert **"person"**.
 - 31 Page 65, line 21, delete "permit holder's" and insert **"person's"**.
- (Reference is to EHB 1835 as printed March 22, 2007.)

Senator DILLON